Case 09-71468 Doc 1 Filed 04/13/09 Entered 04/13/09 13:00:06 Desc Main B1 (Official Form 1) (1/08) Document Page 1 of 44

### United States Bankruptcy Court Northern District of Illinois Western Division

Voluntary Petition

Name of Debtor (if individual, enter Last, F		Name	Name of Joint Debtor (Spouse) (Last, First, Middle)							
Hohol, Jo	hn Joseph	1		Hohol, Esther, Kelly						
All Other Names used by the Debtor in the and trade names):	e last 8 years (include	married, maider	n All Ot maide	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden and trade names):						
Last four digits of Soc. Sec. or Individual-T (if more than one, state all) * ****_******	axpayer I.D. (ITIN) No 2745	o./Complete EIN		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) * ***-**-8370						
Street Address of Debtor (No. & Street, Ci		Street	Street Address of Joint Debtor (No. & Street, City, and State):							
3913 West Meadow Lai		391	3 West I	Meadow	/ Lane					
Wonder Lake IL		60097	Wo	Wonder Lake IL 60097						
County of Residence or of the Principal Pl	ace of Business:		Count	y of Residence	or of the Princ	cipal Place of	Business:			
MCH	ENRY				M	CHENF	RY			
Mailing Address of Debtor (if different from	street address)		Mailing	g Address of Jo	int Debtor (if o	different from s	street address):			
Location of Principal Assets of Business D	ebtor (if different fron	n street address	above):							
Type of Debtor (Form of Organization) (Check one box)		f Business one box.)	Chap	oter of Bankru	otcy Code Ur	nder Which th	e Petition is Filed (Check one box)			
Individual (includes Joint Debtors)	☐ Heath Care Bu			hapter 7		☐ Chapter	15 Petition for Recognition			
See Exhibit D on page 2 of this form  Corporation (includes LLC & LLP)	Single Asset R defined in 11 L	teal Estate as J.S.C §101 (51B	.   =	hapter 9 hapter 11		of a Fore	eign Main Proceeding			
☐ Partnership	Railroad  Stockbroker		<b>□</b> C	☐ Chapter 12 ☐ Chapter 15 Petition for Recognition						
Other (If debtor is not one of the)	☐ Stockbroker☐ Commodity Br	oker	<u> </u>	Chapter 13 of a Foreign Nonmain Proceeding						
above entities, check this box	☐ Clearing Bank			Nature of Debts (Check one Box)						
and state type of entity below.)	Other			■ Debts are primarily consumer Debts are primarily business debts, defined in 11 U.S.C. debts.						
		mpt Entity if applicable.)		101(8) as "incu		deb	is.			
	Debtor is a tax	-exempt nder Title 26 of t		dividual primaril ersonal, family,						
	United States	Code (the Interna		urpose."	or modechold					
	Revenue Code	e).			Cha	apter 11 Debt	ors			
Filing Fee (C	heck <b>one</b> box)			one box						
Filing Fee attached				☐ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D) ☐ Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D)						
☐ Filing Fee to be paid in installments (a)	•				man basinese	debior as acr	mica iii 11 0.0.0. g 101(01D)			
signed application for the court's consi- unable to pay fee except in installment				☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affliates) are less than \$2,190,000.						
☐ Filing Fee wavier requested (applicable	e to chapter 7 individu	ials only) Must	Chec	Check all applicable boxes:						
attach signed application for the court				A plan is being filed with this petition.  Acceptances of the plan were solicited prepetition from one of more classes						
				of creditors, in a						
Statistical/Administrative Information							This space is for court use only			
<ul> <li>□ Debtor estimates that funds will be available for distribution to unsecured creditors.</li> <li>□ Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.</li> </ul>										
Estimated Number of Creditors										
1- 50- 100- 49 99 199	200- 999 5,000	5,001- 10,000	10,001 25,000	25,001 50,000	50,001 100,000	Over 100,000				
Estimated Assets	<u> </u>	10,000	23,000	50,000	D					
\$0 to \$50,001to \$100,001 to	\$500,001 \$1,000,0	001 \$10,000,001	\$50,000,001	\$100,000,001	\$500,000,001	More than				
\$50,000 \$100,000 \$500,000	to \$1 to \$10 million million	to \$50 million	to \$100 million	to \$500 million	to \$1billion	\$1 billion				
Estimated Liabilities			<b>-</b>			Marra than				
\$0 to \$50,001 to \$100,001 to \$50,000 \$100,000 \$500,000	\$500,001 \$1,000,0 to \$1 to \$10	001 \$10,000,001 to \$50	\$50,000,001 to \$100	\$100,000,001 to \$500	\$500,000,001 to \$1billion	More than \$1 billion				

Case 09-71468 Doc 1 Filed 04/13/09 Entered 04/13/09 13:00:06 Desc Main B1 (Official Form 1) (1/08) Document Page 2 of 44 **Voluntary Petition** Name of Debtor(s) Hohol, John Joseph This page must be completed and filed in every case) **Esther Kelly Hohol** All Prior Bankruptcy Case Filed Within Last 8 Years (if more than two, attach additional sheet) Location Where Filed: Case Number: Date Filed: None None Pending Bankruptcy Case Filed by any Spouse, Partner, or Affilate of this Debtor (if more than one, attach additional sheet) Name of Debtor: Date Filed: Case Number: None District: Relationship: Judge: **Exhibit B** Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12 pursuant to Section 13 or 15 (d) of the Securities Exchange Act of or 13 of title 11, United States Code, and have explained the relief available under 1934 and is requesting relief under chapter 11.) each such chapter. I further certify that I have delivered to the debtor the notice required by 11 USC § 342(b). Exhibit A is attached and made a part of this petition. /s/ Laura Dolores Frye Laura Dolores Frye Dated: 04/01/2009 **Exhibit C** Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. Nο **Exhibit D** (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check the Applicable Box.) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United

Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

### Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.)

Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

(Name of landlord that obtained judgment)

\_\_\_\_\_

(Address of Landlord)

- Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.
- Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1))

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**Voluntary Petition** 

This page must be completed and filed in every case)

Name of Joint Debtor(s)

Hohol, John Joseph Esther Kelly Hohol

#### **Signatures**

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7,11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

/s/ John Joseph Hohol
John Joseph Hohol

Dated: 03/19/2009

/s/ Esther Kelly Hohol
Esther Kelly Hohol

Dated: 03/19/2009

Signature of Attorney

/s/ Laura Dolores Frye

Signature of Attorney for Debtor(s)

**Laura Dolores Frye** 

Printed Name of Attorney for Debtor(s)

LAW OFFICES OF PETER FRANCIS GERACI 55 E. Monroe Street #3400 Chicago IL 60603 312.332.1800 (PH)

Date: 04/01/2009

\* In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedule incorrect.

#### Signature of Debtor (Corporation/Partnerhsip)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

#### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition (Check only **one** box.)

□ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.

Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

(Signature of Foreign Representative)

(Printed Name of Foreign Representative)

### << Sign & Date on Those Lines

### << Sign & Date on Those Lines

#### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for fi ling for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) Address

#### Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.



# Document Page 4 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

Bankruptcy Docket #:

### EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed. 1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunites for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency. 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed. 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing. 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.] Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.); Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.); Active military duty in a military combat zone. 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

/s/ John Joseph Hohol

John Joseph Hohol

I certify under penalty of perjury that the information provided above is true and correct.

03/19/2009

406341

Dated:

PFG Record #

Sign & Date

Here

### Document Page 5 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

Bankruptcy Docket #:

### EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed. 1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency. 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed. 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances here.] If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing. 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.] Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.); Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.); Active military duty in a military combat zone. 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h)

I certify under penalty of perjury that the information provided above is true and correct.

does not apply in this district.

/s/ Esther Kelly Hohol Sign & Date 03/19/2009 Dated: Here **Esther Kelly Hohol** 

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# Document Page 6 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

**Attorney for Debtor: Laura Dolores Frye** 

#### **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, C, D, E, F, I and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

			AMOUNTS SCHEDULED						
Name of Schedule	Attached YES   NO	Pages	Assets	Liabilities	Other				
SCHEDULE A - Real Property	Yes	1	\$300,000	\$-	\$-				
SCHEDULE B - Personal Property	Yes	3	\$36,975	\$-	\$-				
SCHEDULE C - Property Claimed as Exempt	Yes	1+	\$-	\$-	\$-				
SCHEDULE D - Creditors Holding Secured Claims	Yes	1+	\$-	\$301,323	\$-				
SCHEDULE E - Creditors Holding Unsecured Priority Claims	Yes	2	\$-	\$-	\$-				
SCHEDULE F - Creditors Holding Unsecured Nonpriority Claims	Yes	1+	\$-	\$89,726	\$-				
SCHEDULE G - Executory Contracts and Unexpired Leases	Yes	1	\$-	\$-	\$-				
SCHEDULE H - CoDebtors	Yes	1	\$-	\$-	\$-				
SCHEDULE I - Current Income of Individual Debtor(s)	Yes	1	\$-	\$-	\$7,021				
SCHEDULE J - Current Expenditures of Individual Debtor(s)	Yes	1	\$-	\$-	\$7,218				
TOTALS	\$ 336,975 TOTAL ASSETS	\$ 391,049 TOTAL LIABILITIES							

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

John Joseph Hohol and Esther Kelly Hohol, Debtors

Bankruptcy Docket #:

Attorney for Debtor: Laura Dolores Frye

### STATISTICAL SUMMARY OF CERTAIN LIABILITIES - 28 U.S.C. § 159

If you are an individual debtor whose debts are primarily consumer debts as defined in 101(8) of the Bankruptcy Code (11 U.S.C. 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts and, therefore, are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C § 159 Summarize the following types of liabilities, as reported in the Schedules, and total them

Type of Liability	Amount
Domestic Support Obligations (From Schedule E)	\$ 0
Taxes and Certain Other Debts Owed to governmental Units (From Schedule E)	\$ 0
Claims for Death or Personal Injury While Debtor was Intoxicated (From Schedule E) whether disputed or undisputed)	\$ 0
Student Loan Obligations (From Schedule F)	\$ 0
Domestic Support Separation Agreement and Divorce Decree Obligations Not Reported on (Schedule E).	\$ 0
Obligations to Pension or Profit Sharing and Other Similar Obligations (From Schedule F)	\$ 0
TOTAL	\$ 0

#### State the following:

Average Income (from Schedule I, Line 16)	\$ 7,021.47
Average Expenses (from Schedule J, Line 18)	\$ 7,218.29
Current Monthly Income (from Form 22A Line 12; or, Form 22B Line 11; or, Form 22C Line 20)	\$ 9,199.94

#### State the following:

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ 84,235.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	\$ 0.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" Column		\$0
4. Total from Schedule F		\$ 89,726.00
5. Total of non-priority unsecured debt (sum of 1,3 and 4)		\$ 173,961.00

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

**Attorney for Debtor: Laura Dolores Frye** 

#### **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband Wife Joint Or Community	Current Value of Debtors Interest in Property Without Deducting and Secured Claim or Exemption	Amount of Secured Claim
3913 West Meadow Lane Wonder Lake, IL 60097 - (Debtors primary residence)	Fee Simple	J	\$ 300,000	\$ 278,508

**Total Market Value of Real Property** 

\$300,000.00 (Report also on Summary of Schedules)

B6A (Official Form 6A) (12/07) Page 1 of 1 PFG Record # 406341

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

**Attorney for Debtor: Laura Dolores Frye** 

#### SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "HWJC." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

#### Do not list interest in executory and unexpired leases on this schedule. List them in Schedule G.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." In providing the information in this schedule, do not include the name or address of a minor child. Simpy state a "minor child."

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Type of Property	N O N E	Description and Location of Property		Debtor's Propert Deduc	t Value of Interest in y, Without ting Any d Claim or
01. Cash on Hand	X				
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.		Joint checking account with Washington Mutual	J	\$	100
03. Security Deposits with public utilities, telephone companies, landlords and others.	X				
04. Household goods and furnishings, including audio, video, and computer equipment.		Household goods; TV, VCR, stereo, sofa, vacuum, table, chairs, lamps, entertainment center, bedroom sets, washer/dryer, stove, refrigerator, microwave, pots/pans, dishes/flatware	J	\$	2,000
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		Books, Compact Discs, Tapes/Records, Family Pictures	J	\$	100
06. Wearing Apparel		Necessary wearing apparel.	Н	\$	100
07. Furs and jewelry.		Earrings, watch, costume jewelry, wedding bands	J	\$	300
08. Firearms and sports, photographic, and other hobby equipment.	X	Bee (Official Fo			

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

SCHEDULE B - PERSONAL PROPERTY								
Type of Property	NONE	Description and Location of Property			Value of nterest in Without ng Any Claim or			
09. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		Term Life Insurance through Wells Fargo - No Cash Surrender Value.	н	\$	0			
10. Annuities. Itemize and name each issuer.	X							
11. Interests in an educational IRA as defined in 26 U.S.C 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. 529(B)(1). Give particulars. (File separately the records(s) of any such interest(s). 11 U.S.C. 521(c); Rule 1007(b)).	X							
12. Interest in IRA,ERISA, Keogh, or other pension or profit sharing plans. Give particulars								
		Pension w/ Employer/Former Employer - 100% Exempt.	Н	\$	0			
40.01		Pension w/ Employer/Former Employer - 100% Exempt.	W	\$	0			
13. Stocks and interests in incorporated and unincorporated businesses.	X							
14. Interest in partnerships or joint ventures. Itemize. Itemize.	X							
15. Government and corporate bonds and other negotiable and non-negotiable instruments.	X							
16. Accounts receivable	X							
17. Alimony, maintenance, support and property settlements to which the debtor is or may be entitled	X							
18. Other liquidated debts owing debtor including tax refunds. Give particulars.	X							
19. Equitable and future interests, life estates, and rights of power exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X							
20. Contingent and Non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X							
21. Other contingent and unliquidated claims of every nature, including tax refunds, counter claims of the debtor, and rights to setoff claims. Give estimated value of each.	X							
22. Patents, copyrights and other intellectual property. Give particulars.	X							
23. Licenses, franchises and other general intangibles.	X							

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

SCH	IEC	OULE B - PERSONAL PROPERTY		
Type of Property	N O N E	Description and Location of Property		Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or
24. Customer list or other compilations containing personally identifiable information (as defined in 11 USC 101 41A provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes	X			
25. Autos, Truck, Trailers and other vehicles and accessories.				
		04 Lincoln Town Car with over 60,000 miles	J	\$ 10,000
		FORD CRED - 05 Ford Excursion with over 42,000 miles	Н	\$ 24,375
26. Boats, motors and accessories.	X			
27. Aircraft and accessories.	X			
28. Office equipment, furnishings, and supplies.	X			
29. Machinery, fixtures, equipment, and supplie used in business.	X			
30. Inventory	X			
31. Animals				
		Family Pets/Animals.	J	\$ 0
32. Crops-Growing or Harvested. Give particulars.	X			
33. Farming equipment and implements.	X			
34. Farm supplies, chemicals, and feed.	X			
35. Other personal property of any kind not already listed. Itemize.	X			
		Total (Report also on Summary of Schedules)		\$36,975

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### NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

John Joseph Hohol and Esther Kelly Hohol, Debtors

SCHEDULE C - PROPERTY	CLA	AIMED EXEMPT
Debtor claims the exemptions to which debtor is entitled under: (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3)		Check if debtor claims a homestead exemption that exceeds \$136,875

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property without Deducting Exemption
00. Real Property 3913 West Meadow Lane Wonder Lake, IL 60097 - (Debtors	735 ILCS 5/12-901	\$ 30,000	\$ 300,000
primary residence)	100,000 0.12 00.	, 53,533	Ψ 000,000
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.			
Joint checking account with Washington Mutual	735 ILCS 5/12-1001(b)	\$ 100	\$ 100
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.			
Books, Compact Discs, Tapes/Records, Family Pictures	735 ILCS 5/12-1001(a)	\$ 100	\$ 100
06. Wearing Apparel			
Necessary wearing apparel.	735 ILCS 5/12-1001(a),(e)	\$ 100	\$ 100
07. Furs and jewelry.			
Earrings, watch, costume jewelry, wedding bands	735 ILCS 5/12-1001(b)	\$ 300	\$ 300
12. Interest in IRA,ERISA, Keogh, or other pension or profit sharing plans. Give particulars			
Pension w/ Employer/Former Employer - 100% Exempt.	40 ILCS 5/3-144.1	\$ 0	\$ 0
Pension w/ Employer/Former Employer - 100% Exempt.	40 ILCS 5/3-144.1	\$ 0	\$ 0
25. Autos, Truck, Trailers and other vehicles and accessories.			
04 Lincoln Town Car with over 60,000 miles	735 ILCS 5/12-1001(c) 735 ILCS 5/12-1001(b)	\$ 2,400 \$ 7,600	\$ 10,000
FORD CRED - 05 Ford Excursion with over 42,000 miles	735 ILCS 5/12-1001(c)	\$ 2,400	\$ 24,375
PFG Record # <b>406341</b>	B6C (Offic	cial Form 6C) (12/	07) Page 1 of 1

# Document Page 13 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

**Attorney for Debtor: Laura Dolores Frye** 

#### SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s) on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule D.

		•	·					
Creditor's Name and Mailing Address Including Zip and Account Number (See Instructions Above)	Codebtor	H W J C	* Date Claim was Incured  * Nature of Lien  *Value of Property Subject to Lien  *Description of Property	Contingent	Unliquidated	Disputed	Amount of Claim Without Deducting Value of	Unsecured Portion, If Any
1 FORD CRED Attn: Bankruptcy Dept. Po Box Box 542000 Omaha NE 68154 Acct No.: 40313684		Н	Dates: 2006-2009  Nature of Lien: Lien on Vehicle - PMSI  Market Value: \$ 24,375  Intention: Reaffirm 524 (c)  *Description: FORD CRED - 05 Ford  Excursion with over 42,000  miles				\$ 22,815	\$ 22,815
2 Wells Fargo HM Mortgag Attn: Bankruptcy Dept. 8480 Stagecoach Cir Frederick MD 21701 Acct No.: 9360612820852		J	Dates: 2003-2009  Nature of Lien: Mortgage  Market Value: \$ 300,000  Intention: Reaffirm 524 (c)  *Description: 3913 West Meadow Lane Wonder Lake, IL 60097 - (Debtors primary residence)				\$ 217,088	\$ 0
3 Wffinance Attn: Bankruptcy Dept. 5615 Northwest Hwy Crystal Lake IL 60014 Acct No.: 108250648132691		J	Dates: 2006 Nature of Lien: Mortgage Market Value: \$ 300,000 Intention: Reaffirm 524 (c) *Description: 3913 West Meadow Lane Wonder Lake, IL 60097 - (Debtors primary residence)				\$ 61,420	\$ 61,420

Total

\$ 301,323

\$ 84,235

(Report also on Summary of Schedules.) (if applicatble, report also on Statistical Summary of Certain Liabilities and Related Data.)

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In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

**Attorney for Debtor: Laura Dolores Frye** 

#### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 or 13 report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors

	Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
TYP	PES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)
	<b>Domestic Support Obligations</b> Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
	Extensions of Credit in an involuntary case Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but bfore the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
	Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
	Contributions to employee benefit plans Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
	Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
	Deposits by individuals Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
	Taxes and certain other Debts Owed to Governmental Units  Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
	Commitments to maintain the capital of insured depository institution Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).
	Claims for death or personal injury while debtor was intoxicated Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

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<sup>\*</sup> Amounts are subject to adjustment on April 10, 2010, and every three years thereafter with respect to cases commenced on or after the date of adju

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol / Debtors

Attorney for Debtor: Laura Dolores Frye

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts filing a case under chapter 7, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

_								
Cı	reditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	A A H	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	 nount of Claim
1	AMEX Attn: Bankruptcy Dept. Po Box 297871 Fort Lauderdale FL 33329 Acct #: 373958884861004		Н	Dates: 2001-2009 Reason: Credit Card or Credit Use				\$ 6,704
2	AMEX Attn: Bankruptcy Dept. Po Box 297871 Fort Lauderdale FL 33329 Acct #: 377220781422000		Н	Dates: 2009 Reason: Credit Card or Credit Use				\$ 9,081
3	AMEX Attn: Bankruptcy Dept. Po Box 297871 Fort Lauderdale FL 33329 Acct #: 371753484441006		Н	Dates: 2001-2009 Reason: Credit Card or Credit Use				\$ 13,359

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# Document Page 16 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol / Debtors

SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS									
Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)			H W J C	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amou Cla	int of
1	BANK OF America Attn: Bankruptcy Dept. Pob 17054 Wilmington DE 19884 Acct #: 5490995694075141		Н	Dates: 2004 Reason: Credit Card or Credit Use				\$	849
5	BANK OF America Attn: Bankruptcy Dept. Pob 17054 Wilmington DE 19884 Acct #: 5490353530061414		Н	Dates: 2009 Reason: Credit Card or Credit Use				\$	996
6	BANK OF America Attn: Bankruptcy Dept. Pob 17054 Wilmington DE 19884 Acct #: 5490356917675367		Н	Dates: 2009 Reason: Credit Card or Credit Use				\$ 4	I, <b>5</b> 48
7	Central DuPage Hospital Bankruptcy Department 25 N. Winfield Rd. Winfield IL 60190 Acct #: 5541571001		J	Dates: 2008 Reason: Medical/Dental Services				\$	695
3	Chase Bankruptcy Department PO Box 15153 Wilmington DE 19886 Acct #: 5491042893121670		J	Dates: Reason: Credit Card or Credit Use				\$ 9	,758
•	CHASE Attn: Bankruptcy Dept. 800 Brooksedge Blvd Westerville OH 43081 Acct #: 4640182036331324		Н	Dates: 2007-2009 Reason: Credit Card or Credit Use				\$ 4	I,203
10	CHASE Attn: Bankruptcy Dept. 800 Brooksedge Blvd Westerville OH 43081 Acct #: XXXX4069		W	Dates: 1991 Reason: Credit Card or Credit Use				\$ 2	2,300

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

John Joseph Hohol and Esther Kelly Hohol / Debtors

Attorney for Debtor: Laura Dolores Frye

In re

Record # 406341

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS nliquidated Contingent **Date Claim Was Incurred and** Disputed Codebto Creditor's Name, Mailing Address Including **Amount of** w Consideration For Claim. **Zip Code and Account Number** Claim J If Claim is Subject to Setoff, So State (See Instructions Above) C 11 Chase-Tjx н Dates: 2009 Attn: Bankruptcy Dept. Reason: Credit Card or Credit Use \$ 360 800 Brooksedge Blvd Columbus OH 43801 Acct #: 5888962200831169 12 Citgo/CBSD Dates: 1990-2004 Attn: Bankruptcy Dept. \$ Reason: Credit Card or Credit Use 995 Po Box 6497 Sioux Falls SD 57117 Acct #: 624926440 13 CPU/CBSD Н Dates: 2004 Attn: Bankruptcy Dept. Reason: Credit Card or Credit Use \$ 101 Po Box 6497 Sioux Falls SD 57117 Acct #: XXXXX2745 14 CPU/CBSD Dates: 2004-2009 Attn: Bankruptcy Dept. Reason: Credit Card or Credit Use 228 Po Box 6497 Sioux Falls SD 57117 Acct #: 1307327427 15 Creditors Protection S W Dates: 2003-2009 Attn: Bankruptcy Dept. Reason: Medical Debt 235 202 W State St Ste 300 Rockford IL 61101 Acct #: 6100360000109065 16 Discover FIN SVCS LLC Dates: 2002-2009 Attn: Bankruptcy Dept. Reason: Credit Card or Credit Use 7,103 Po Box 15316 Wilmington DE 19850 Acct #: 6011XXXXXXXXX6787 17 Equifax Dates: 2009 Attn: Bankruptcy Dept. Reason: Notice Only 0 P.O. Box 740241 Atlanta GA 30374 Acct #: XXXXX2745

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### NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

John Joseph Hohol and Esther Kelly Hohol / Debtors

Attorney for Debtor: Laura Dolores Frye

In re

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C A H	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed		unt of aim
8 Experian Attn: Bankruptcy Dept. P.O. Box 2002 Allen TX 75013 Acct #: XXXXX2745			Dates: 2009 Reason: Notice Only				\$	0
9 Exxmblciti Attn: Bankruptcy Dept. Po Box 6497 Sioux Falls SD 57117 Acct #: XXXXX2745		J	Dates: 1990-2009 Reason: Credit Card or Credit Use				\$	379
20 Exxmblciti Attn: Bankruptcy Dept. Po Box 6497 Sioux Falls SD 57117 Acct #: XXXXX8370		w	Dates: 2009 Reason: Credit Card or Credit Use				\$	59
Attn: Bankruptcy Dept. Po Box 981439 El Paso TX 79998 Acct #: 6034610069682881		w	Dates: 2009 Reason: Credit Card or Credit Use				\$ 3	3,182
2 GEMB/HOME SHOPPING Attn: Bankruptcy Dept. Po Box 981400 El Paso TX 79998 Acct #: 0286700334526		Н	Dates: 2001-2009 Reason: Credit Card or Credit Use				\$	942
Attn: Bankruptcy Dept. Po Box 984100 El Paso TX 79998 Acct #: 24813707951		Н	Dates: 2009 Reason: Credit Card or Credit Use				\$	694
4 GEMB/LOWES DC Attn: Bankruptcy Dept. Po Box 981416 El Paso TX 79998 Acct #: XXXXX2745			Dates: 2007-2009 Reason: Credit Card or Credit Use				\$ 4	4,063

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

John Joseph Hohol and Esther Kelly Hohol / Debtors

Attorney for Debtor: Laura Dolores Frye

In re

Record # 406341

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS nliquidated Contingent **Date Claim Was Incurred and** Disputed Codebto Creditor's Name, Mailing Address Including **Amount of** w Consideration For Claim. **Zip Code and Account Number** Claim J If Claim is Subject to Setoff, So State (See Instructions Above) C 25 GEMB/MEIJER DC н Dates: 2007-2009 Attn: Bankruptcy Dept. Reason: Credit Card or Credit Use 3,343 Po Box 981400 El Paso TX 79998 Acct #: 5148655002410358 26 GEMB/QVC н Dates: 2009 Attn: Bankruptcy Dept. Reason: Credit Card or Credit Use 1,129 Po Box 971402 El Paso TX 79997 Acct #: 64140023371 27 GEMB/SAMS CLUB Н Dates: 2009 Attn: Bankruptcy Dept. Reason: Credit Card or Credit Use \$ 380 Po Box 981400 El Paso TX 79998 Acct #: XXXXX2745 28 GEMB/SHOPNBC PLCC Dates: 2003-2009 Attn: Bankruptcy Dept. Reason: Credit Card or Credit Use 940 Po Box 981400 El Paso TX 79998 Acct #: 6045771001700087 29 HSBC BANK W Dates: 2008 Attn: Bankruptcy Dept. Reason: Credit Card or Credit Use 741 Po Box 5253 Carol Stream IL 60197 Acct #: 5491100034608755 30 JC Penney/GEMB Dates: **Bankruptcy Department** Reason: Credit Card or Credit Use \$ 155 PO Box 981131 El Paso TX 79998 Acct #: 14908367621 31 Kohls/Chase Dates: 1989-2009 Attn: Bankruptcy Dept. Reason: Credit Card or Credit Use 1,760 N56 W 17000 Ridgewood Dr Menomonee Falls WI 53051 Acct #: 0200566107

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### NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol / Debtors

SCHEDULE F - CREDITORS	SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS						
Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C H M	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
32 Marathon Petroleum CO Attn: Bankruptcy Dept. 539 S Main St Findlay OH 45840 Acct #: 1005286263		w	Dates: Reason: Credit Card or Credit Use				\$ 153
33 Mercy Health System Attn: Bankruptcy Department PO Box 5003 Janesville WI 53547 Acct #: 00446033		J	Dates: 2009 Reason: Medical/Dental Services				\$ 2,499
34 NCO FIN/55 Attn: Bankruptcy Dept. Po Box 13570 Philadelphia PA 19101 Acct #: 15254609		w	Dates: 2003-2003 Reason: Medical Debt				\$ 108
35 NCO FIN/55 Attn: Bankruptcy Dept. Po Box 13570 Philadelphia PA 19101 Acct #: 15255083		w	Dates: 2003-2003 Reason: Medical Debt				\$ 580
36 Sears/CBSD Attn: Bankruptcy Dept. Po Box 6189 Sioux Falls SD 57117 Acct #: 5121079750255140		Н	Dates: 2005-2009 Reason: Credit Card or Credit Use				\$ 912
37 Shell/CITI Attn: Bankruptcy Dept. Po Box 6497 Sioux Falls SD 57117 Acct #: 317417335			Dates: 2001-2009 Reason: Credit Card or Credit Use				\$ 1,164
38 THD/CBSD Attn: Bankruptcy Dept. Po Box 6497 Sioux Falls SD 57117 Acct #: 6035320156508002		Н	Dates: 2004-2009 Reason: Credit Card or Credit Use				\$ 2,761

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In re

John Joseph Hohol and Esther Kelly Hohol / Debtors

Attorney for Debtor: Laura Dolores Frye

	SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS							
Cr	editor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C H M	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	 ount of laim
39	THD/CBSD Attn: Bankruptcy Dept. Po Box 6497 Sioux Falls SD 57117 Acct #: XXXXX8370		w	Dates: 2004-2009 Reason: Credit Card or Credit Use				\$ 1,216
40	TransUnion Attn: Bankruptcy Dept. P.O. Box 1000 Chester PA 19022 Acct #: XXXXX2745			Dates: 2009 Reason: Notice Only				\$ 0
41	Wffnatbank Attn: Bankruptcy Dept. Po Box 94498 Las Vegas NV 89193 Acct #: 2308017308		J	Dates: 2005-2009 Reason: Credit Card or Credit Use				\$ 912
42	Wfnnb/Roamans Attn: Bankruptcy Dept. Po Box 182121 Columbus OH 43218 Acct #: XXXXX8370		w	Dates: 1994-2009 Reason: Credit Card or Credit Use				\$ 139

**Total Amount of Unsecured Claims** 

(Report also on Summary of Schedules)

\$ 89,726.00

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

Attorney for Debtor: Laura Dolores Frye

#### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).



Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract. Description of Contract or Lease and Nature of Debtor's Interest. State whether Lease is for Non-Residential Real Property. State Contract Number or Any Government Contract.

[x] None

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

Attorney for Debtor: Laura Dolores Frye

#### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no codebtors.

Name and Address of CoDebtor	Name and Address of the Creditor
[x] None	

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## UNITED STATES BARKRUPTEY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

Bankruptcy Docket #:

**Attorney for Debtor: Laura Dolores Frye** 

### SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital	DEPENDENTS OF DEBTOR AND SPOUSE ~ RELATIONSHIP AND AGE							
Status: Married	,,,,							
	DEBTOR EMPLOYMENT	SPOUSE EMPLOYMENT						
Occupation:	Police Officer							
Name of Employer:	Village of Wonder Lake	Retired						
Years Employed								
Employer Address:	4200 Thompson Rd							
City, State, Zip	Wonder Lake, IL 60097	,						

INCOME: (Estimate of average or projected monthly income at time case filed.)	DEBTOR	SPOUSE		
1. Monthly Gross Wages, Salary, and commissions	\$ 1,366.64	\$ 0.00		
(Prorate if not paid monthly.)  2. Estimated Monthly Overtime	\$ 0.00	\$ 0.00		
3. SUBTOTAL	\$ 1,366.64	\$ 0.00		
4. LESS PAYROLL DEDUCTIONS		·		
a. Payroll Taxes and Social Security	\$ 230.56	\$ 0.00		
b. Insurance	\$ 0.00	\$ 0.00		
c. Union Dues	\$ 0.00	\$ 0.00		
d. Other (Specify) Pension:	\$ 0.00	\$ 0.00		
Voluntary 401 Contributions:	\$ 0.00	\$ 0.00		
Child Support:	\$ 0.00	\$ 0.00		
Life Insurance, Uniforrms, 401K Loan:	\$ 0.00	\$ 0.00		
5. SUBTOTAL OF PAYROLL DEDUCTIONS	\$ 230.56	\$ 0.00		
6. TOTAL NET MONTHLY TAKE HOME PAY	\$ 1,136.08	\$ 0.00		
7. Regular income from operation of business or profession or farm	\$ 0.00	\$ 0.00		
8. Income from real property	\$ 0.00	\$ 0.00		
9. Interest and dividends	\$ 0.00	\$ 0.00		
10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.	\$ 0.00	\$ 0.00		
11. Social Security or government assistance (Specify)	\$ 0.00	\$ 0.00		
12. Pension or retirement income	\$ 3,709.16	\$ 1,400.41		
13. Other monthly income (Specify:) 2nd job & &	\$ 775.82	\$ 0.00		
(Specify:) 2nd job & & Unemployment Income	\$ 0.00	\$ 0.00		
14. SUBTOTAL OF LINES 7 THROUGH 13	7 3.33	<del>, , , , , , , , , , , , , , , , , , , </del>		
15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)	\$ 5,621.06	\$ 1,400.41		
16. COMBINED AVERAGE MONTHLY INCOME (Combine column totals fromlin	\$ 7,021.47			

if there is only one debtor repeat total reported on line 15.)

Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data.)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document: **None** 

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## UNITED SPATES BARKRUPTEY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors Bankruptcy Docket #:

Attorney for Debtor: Laura Dolores Frye

SCHEDULE J - CURRENT EXPENSES OF INDIVIDUAL DEBTOR(S) Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate. Check box if joint petition is filed & debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse". 1. Rent or home mortgage payment (include lot rented for mobile home) \$3,066.00 a. Real Estate taxes included? [x] Yes [] No b. Property insurance included? [x] Yes [] No 2. Utilities: a. Electricity and Heating Fuel \$ 440.00 b. Water, Sewer, Garbage \$ 60.00 c. Cellphone, Internet \$100.00 d. Other **Home Phone and Cable Television** \$ 225.00 3. Home Maintenance (repairs and upkeep) \$ 50.00 4. Food \$600.00 5. Clothing \$ 60.00 6. Laundry and Dry Cleaning \$ 40.00 \$ 200.00 7. Medical and Dental Expenses \$435.00 8. Transportation (not including car payments) Gas, Tolls/Parking, Fees/Licenses, Repair, Bus/Train 9. Recreation, Clubs and Entertainment, Newspapers, Magazines, etc. \$ 40.00 10. Charitable Contributions \$ -11. Insurance (not deducted from wages or included in home mortgage payments) \$ a. Homeowner's or Renter's \$ 12.00 b. Life \$930.29 c. Health d. Auto \$ 112.00 e. Other \$-12. Taxes (not deducted from wages or included in home mortgage payments) \$ -Federal or State Tax Repayments, Real Estate Taxes 13. Installment Payments: (In Chapter 11, 12, and 13 cases, do not list payments to be included in plan) \$378.00 a. Auto b. Reaffirmation Payments \$ c. Other \$-14. Alimony, maintenance and support paid to others \$-15. Payments for support of additional dependents not living at your home 16. Regular expenses from operation of business, profession, or farm (attach detailed statement) \$ 100.00 Childcare & Pet 17. Other: Haircuts, Hygiene, Newspaper/Mags & Tuition, Books & Postage/Banking Babysitting Care: Eyecare, Meds GLS Repay: \$320.00 \$280.00 \$40.00 \$0.00 \$ -\$ -18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and if applicable, on \$ 7,218.29 the Stastical of Summary of Certain Liabilities and Related Data. 19. Describe any increase/decrease in expenditures anticipated to occur within the year following the filing this document: 20. STATEMENT OF MONTHLY NET INCOME a. Average monthly income from Line 15 of Schedule I \$ 7,021.47 b. Average monthly expenses from Line 18 above \$7,218.29 c. Monthly net income (a. minus b.) \$(196.82) d. Total amount to be paid into plan monthly

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

Bankruptcy Docket #:

Attorney for Debtor: Laura Dolores Frye

#### **DECLARATION CONCERNING DEBTOR'S SCHEDULES**

#### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, and that they are true and correct to the best of my knowledge, information and belief. I have disclosed on the foregoing schedules all property or assets I may have an interest in, the correct value of it, and every debt I may be liable for. I accept the risk that some debts won't be discharged. I have been advised of the difference between Chapter 7 and Chapter 13, income & expense concepts, budgeting, and have made full disclosure.

Debtor's attorney has advised debtor that creditors can object to discharge of their debt on a variety of grounds including fraud, recent credit usage, divorce and support obligations and reckless conduct.

Debtor's attorney has advised debtor that non-dischargeable debts such as taxes, student loans, fines by government units and liens on property of debtor are generally unaffected by bankruptcy.

Dated:	ed: 03/19/2009 /s/ John Joseph Hohol		X Date & Sign
		John Joseph Hohol	
Dated:	03/19/2009	/s/ Esther Kelly Hohol	X Date & Sign
		Esther Kelly Hohol	

if joint case, both spouses must sign. If NOT a joint case the joint debtor will NOT appear.

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

#### DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. 110)

Non-Attorney Petition Preparers were **NOT** used to prepare any portion of this petition. All documents were produced by the Law Offices of Peter Francis Geraci.

THIS SECTION ONLY APPLIES TO PETITION PREPARERS AND HAS NOTHING TO DO WITH THIS CASE

#### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

This is a personal bankruptcy for an individual(s) and **NOT** a corporation or partnership.

THIS SECTION ONLY APPLIES TO CORPORTATIONS & PARTNERSHIPS AND HAS NOTHING TO DO WITH THIS CASE

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

Attorney for Debtor: Laura Dolores Frye

#### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 01. INCOME FROM EMPLOYMENT OR OPERATION OF BUSINESS:

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE	
2009: \$ 6,781 2008: \$ 37,755 2007: \$ 27,009	employment	
Spouse		
AMOUNT	SOURCE	

# Document Page 28 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

Attorney for Debtor: Laura Dolores Frye

2007: \$ 21,232

	STATEMENT OF F	NANCIAL AFFAIRS
Spouse		
AMOUNT	SOURCE	
2009: \$ 0 2008: \$ 0 2007: \$ 5,366	employment	
02. INCOME OTHER THAN FROM	M EMPLOYMENT OR OPERATIC	N OF BUSINESS:
	ors filing under chapter 12 or chapt	<ul> <li>e. Give particulars. If a joint petition is filed, state income for each er 13 must state income for each spouse whether or not a joint petition led.)</li> </ul>
2009: \$ 4002/mo 2008: \$ 54,386 2007: \$ 51,948	Pension	
Spouse		
AMOUNT	SOURCE	
2009: \$ 1,482/mo 2008: \$ 4,417	Pension	-
2007: \$ 0		

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

**Attorney for Debtor: Laura Dolores Frye** 

#### STATEMENT OF FINANCIAL AFFAIRS

03. PAYMENTS TO CREDITORS:

Complete a. or b. as appropriate, and c.

a. INDIVIDUAL OR JOINT DEBTOR(S) WITH PRIMARILY CONSUMER DEBTS: List all payments on loans, installment purchases of goods of services, and other debts to any creditor made within 90 days immediately proceeding the commencement of this case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$600.00. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Creditor	Dates of Payments	nount Paid	mount I Owing
Wffinance	Monthly	\$ 2,286	\$ 59,134
5615 Northwest Hwy Crystal Lake IL 60014			
FORD CRED	Monthly	\$ 2,814	\$ 0
Po Box Box 542000 Omaha NE 68154			
FORD CRED	Monthly	\$ 2,613	\$ 20,202
Po Box Box 542000 Omaha NE 68154			
Wells Fargo HM Mortgag	Monthly	\$ 6,273	\$ 210,815
8480 Stagecoach Cir			
Frederick MD 21701			



b. DEBTOR WHOSE DEBTS ARE NOT PRIMARILY CONSUMER DEBTS: List each payment or other transfer to any creditor made with 90 days immediately preceding the commencement of the case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$5,000 (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by each or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address	Dates of	Amount Paid or Value of	Amount
of Creditor	Payment/Transfers	Transfers	Still Owing



c. ALL DEBTORS: List all payments made within 1 year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments be either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

& Relationship to Debtor	of Payments	Transfers	Still Owing
Name & Address of Creditor	Dates	Amount Paid or Value of	Amount

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

**Attorney for Debtor: Laura Dolores Frye** 

#### STATEMENT OF FINANCIAL AFFAIRS

NONE

04. SUITS AND ADMINISTRATIVE PROCEEDINGS, EXECUTIONS, GARNISHMENTS AND ATTACHMENTS:

List all lawsuits & administrative proceedings to which the debtor is or was a party within 1 (one) year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER NATURE OF PROCEEDING COURT OF AGENCY AND LOCATION STATUS OF DISPOSITION

NONE

04b. WAGES OR ACCOUNTS GARNISHED: Describe all property that has been attached, garnished or seized under any legal or equitable process within (1) one year preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Person for Whose Benefit Property was Seized Date of Seizure Description and Value of Property

NONE

05. REPOSSESSION, FORECLOSURES AND RETURNS:

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Creditor or Seller Date of Repossession, Foreclosure Sale, Transfer or Return Description and Value of Property

NONE

06. ASSIGNMENTS AND RECEIVERSHIPS:

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Assignee Date of Assignment

Terms of Assignment or Settlement Case 09-71468 Doc 1 Filed 04/13/09 Entered 04/13/09 13:00:06 Desc Main Document Page 31 of 44

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

**Attorney for Debtor: Laura Dolores Frye** 

#### STATEMENT OF FINANCIAL AFFAIRS

NONE

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one (1) year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Custodian Name & Location of Court Case Title & Number Date of Order Description and Value of Property

NONE

07. GIFTS:

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Person or Organization

Relationship to Debtor, If Any Date of Gift Description and Value of Gift

NONE

08. LOSSES:

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Description and Value of Property

Description of Circumstances and, if Loss Was Covered in Whole or in Part by Insurance, Give Particulars

Date of Loss

09. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY:

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one (1) year immediately preceding the commencement of this case.

Name and Address of Payee Date of Payment, Name of Payer if Other Than Debtor Amount of Money or Description and Value of Property

Payment/Value: 3,500.00

Law Office of Peter Francis Geraci 55 E. Monroe Street #3400

Chicago, IL60603

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

**Attorney for Debtor: Laura Dolores Frye** 

#### STATEMENT OF FINANCIAL AFFAIRS

09a. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY: List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within 1 year immediately preceding the commencement of this case.

Name and Address of Payee Date of Payment, Name of Payer if Other Than Debtor

2009

Amount of Money or description and Value of Property

\$50.00

MMI/CCCS 9009 W. Loop S. Houston, TX 77096 Phone 866.983,2227

X

#### 10. OTHER TRANSFERS

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security with two (2) years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Transferee, Relationship to Debtor

Date

Describe Property
Transferred and
Value Received

NONE

10b. List all property transferred by the debtor within ten (10) years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

Name of Trust or other Device Date(s) of Transfer(s) Amount and Date of Sale or Closing

#### 11. CLOSED FINANCIAL ACCOUNTS:

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one (1) year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Institution Type of Account, Last Four Digits of Account Number, and Amount of Final Balance

Amount and
Date of Sale or
Closing

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

**Attorney for Debtor: Laura Dolores Frye** 

#### STATEMENT OF FINANCIAL AFFAIRS

#### 11. CLOSED FINANCIAL ACCOUNTS:

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one (1) year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Institution Type of Account, Last Four Digits of Account Number, and Amount of Final Balance

Amount and Date of Sale or Closing

**Washington Mutual** 

Savings #9478

Closed by Bank 02/24/2009 Proceeds sent to Checking Account



#### 12. SAFE DEPOSIT BOXES:

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Bank or Other Depository Names & Addresses of Those With Access to Box or depository Description of Contents Date of Transfer or Surrender, if Any

NONE

#### 13. SETOFFS:

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Creditor

Date of Setoff

Amount of Setoff

NONE

#### 14. LIST ALL PROPERTY HELD FOR ANOTHER PERSON:

List all property owned by another person that the debtor holds or controls.

Name and Address of Owner

Description and Value of Property

Location of Property

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

**Attorney for Debtor: Laura Dolores Frye** 

15. PRIOR ADDRESS OF	DEBTOR(S):		
	three (3) years immediately preceding the and vacated prior to the commencement	•	
	Name	Dates of	
Address	Used	Occupancy	

commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in

### X

#### 17. ENVIRONMENTAL INFORMATION:

the community property state.

Name

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil surface water, ground water, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of the these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous material" means anything defined as a hazardous waste, hazardous or toxic substances, pollutant, or contaminant, etc. under environmental Law.

NONE

17a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

Site Name	Name and Address	Date	Environmental
and Address	of Governmental Unit	of Notice	Law

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In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

	aterial. Indicate the governmental	unit to which the notice was sent and	d notice to a governmental unit of the date of the notice.	a release of Hazardous
	Site Name and Address	Name and Address of Governmental Unit	Date of Notice	Environmental Law
de	-	e proceedings, including settlements of e name and address of the governme		•
	Name and Address of Governmental Unit	Docket Number	Status of Disposition	
er	-	e names, addresses, taxpayer identification ich the debtor was a partner or owner commencement of this case.		• •
(6		names addresses taynaver identifi	eation numbers, nature of the busin	
If er	the debtor is a corporation, list the nding dates of all businesses in wl ) years immediately preceding th	nich the debtor was a partner or owne		
If er (6	nding dates of all businesses in wh	nich the debtor was a partner or owne		

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

**Attorney for Debtor: Laura Dolores Frye** 

#### STATEMENT OF FINANCIAL AFFAIRS

has been, within six years imme executive, or owner of more tha	diately preceding the commencemen 5 percent of the voting or equity sec	a corporation or partnership and by any individual debtor who is a t of this case, any of the following: an officer, director, managing curities of a corporation; a partner, other than a limited partner, of a or other activity, either full- or part-time.
•	ceding the commencement of this ca	ement only if the debtor is or has been in business, as defined abse. A debtor who has not been in business within those six years
19. BOOKS, RECORDS AND F	FINANCIAL STATEMENTS:	
List all bookkeepers and accourt the keeping of books of account	` , , <del>-</del>	diately preceding the filing of this bankruptcy case kept or supervi
Name	Dates Services	
and Address	Rendered	
	who within two (2) years immediately	preceding the filing of this bankruptcy case have audited the boo
account and records, or prepare	d a financial statement of the debtor.	Dates Services
account and records, or prepare . Name  19c. List all firms or individuals w	d a financial statement of the debtor. Address	Dates Services Rendered  t of this case were in possession of the books of account and rec
account and records, or prepare . Name  19c. List all firms or individuals w	Address who at the time of the commencemen	Dates Services Rendered  t of this case were in possession of the books of account and rec
account and records, or prepare . Name  19c. List all firms or individuals voor the debtor. If any of the books . Name  19d. List all financial institutions	Address  who at the time of the commencements of account and records are not available.  Address	Dates Services Rendered  t of this case were in possession of the books of account and recable, explain.
account and records, or prepare . Name  19c. List all firms or individuals voor the debtor. If any of the books . Name  19d. List all financial institutions	Address  Address  who at the time of the commencements of account and records are not available.  Address	Dates Services Rendered  t of this case were in possession of the books of account and recable, explain.

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

	STATEMENT OF FIN		
20. INVENTORIES			
List the dates of the last to the dollar amount and bas	wo inventories taken of your property, the nar sis of each inventory.	me of the person who supervised the t	aking of each inventory, a
Date of	Inventory	Dollar Amount of Inventory (specify cost, market of other	
Inventory	Supervisor	basis)	
b. List the name and addr	ess of the person having possession of the re	ecords of each of the inventories repor	ted in a., above.
Date of Inventory	Name and Addresses of Custodian of Inventory Records		
	RS, OFFICERS, DIRECTORS AND SHAREH		
	RS, OFFICERS, DIRECTORS AND SHAREF rship, list nature and percentage of interest o  Nature of Interest		
a. If the debtor is a partne  Name and Address  21b. If the debtor is a corp	Nature of Interest  overation, list all officers & directors of the corp	Percentage of Interest  Doration; and each stockholder who direct	ectly or indirectly owns,
a. If the debtor is a partne  Name and Address  21b. If the debtor is a corp	rship, list nature and percentage of interest o Nature of Interest	Percentage of Interest  Doration; and each stockholder who direct	ectly or indirectly owns,
a. If the debtor is a partner  Name and Address  21b. If the debtor is a corr controls, or holds 5% or n  Name and Address	Nature of Interest  overation, list all officers & directors of the corpore of the voting or equity securities of the corpore.	Percentage of Interest  Overation; and each stockholder who direct or poration.  Nature and Percentage of Stock Ownership	ectly or indirectly owns,
a. If the debtor is a partner  Name and Address  21b. If the debtor is a corr controls, or holds 5% or n  Name and Address	Nature of Interest  Overation, list all officers & directors of the corpore of the voting or equity securities of the corporation of the voting or equity securities of the corporation of the voting or equity securities of the corporation of the voting of the corporation of the voting of th	Percentage of Interest  Doration; and each stockholder who directorporation.  Nature and Percentage of Stock Ownership  OLDERS:	

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In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

22b. If the debtor is a corporation immediately preceding the comm		ationship with the corporation terminated within	one (1) year
Name and Address	Title	Date of Termination	
23. WITHDRAWALS FROM A PA	ARTNERSHIP OR DISTRIBUTION BY	A COPORATION:	
		outions credited or given to an insider, including one perquisite during one year immediately precond	
Name and Address of	Date and	Amount of Money or	
Recipient, Relationship to	Purpose of	Description and value of	
Debtor	Withdrawal	Property	
•	the name and federal taxpayer identifi	cation number of the parent corporation of any c thin six (6) years immediately preceding the con	• .
Name of	Taxpayer		
Parent Corporation	Identification Number (EIN)		
25. PENSION FUNDS:			
If the debtor is not an individual, I	. ,	ntification number of any pension fund to which to) years immediately preceding the commencem	•
If the debtor is not an individual, I	. ,	· · · · · · · · · · · · · · · · · · ·	•

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

**Attorney for Debtor: Laura Dolores Frye** 

#### STATEMENT OF FINANCIAL AFFAIRS

#### **DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachment thereto and that they are true and correct.

Dated: 03/19/2009 /s/ John Joseph Hohol X Date & Sign

Dated: 03/19/2009 /s/ Esther Kelly Hohol X Date & Sign

Estrier Relly Horior

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol / Debtors

**Attorney for Debtor: Laura Dolores Frye** 

### **DEBTOR'S STATEMENT OF INTENTION**

PART A - Debts secured by property of the estate. (Part A must be fully completed for EACH debt which is secured by property of the estate. Attach additional pages if necessary.)

Property No. 1	
Creditor's Name: FORD CRED Attn: Bankruptcy Dept. Po Box Box 542000 Omaha NE 68154	Describe Property Securing Debt: FORD CRED - 05 Ford Excursion with over 42,000 miles
Property will be (check one):	
□Surrendered	Retained
If retaining the property, I intend to (check at I	east one):
☐Redeem the property	
■Reaffirm the debt	
□Other. Explain522(f)).	(for example, avoid lien using 110 U.S.C. §
Property is (check one):	
■Claimed as exempt	□Not claimed as exempt
Property No. 2	
Creditor's Name:  Wells Fargo HM Mortgag  Attn: Bankruptcy Dept.  8480 Stagecoach Cir  Frederick MD 21701	Describe Property Securing Debt: 3913 West Meadow Lane Wonder Lake, IL 60097 - (Debtors primary residence)
Property will be (check one):	
□Surrendered	Retained
If retaining the property, I intend to (check at It ☐ Redeem the property  ■ Reaffirm the debt	
□Other. Explain 522(f)).	(for example, avoid lien using 110 U.S.C. §
Property is (check one):	
■Claimed as exempt	□Not claimed as exempt

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol / Debtors

DEBTOR'	S STATEMENT OF INTENTION	
Property No. 3		
Creditor's Name:  Wffinance Attn: Bankruptcy Dept. 5615 Northwest Hwy Crystal Lake IL 60014	Describe Property Securing Debt: 3913 West Meadow Lane Wonder Lake, IL 60097 residence)	- (Debtors primary
Property will be (check one):		
□Surrendered ■F	Retained	
If retaining the property, I intend to (check at It	east one):	
☐Redeem the property		
■Reaffirm the debt		
□Other. Explain	(for example, avoid	lien using 110 U.S.C. §
522(f)).		
Property is (check one):		
□Claimed as exempt	■Not claimed as exempt	
	ect to unexpired leases. (All three colun lease. Attach additional pages if neces	
Property No. 0	<u></u>	
Lessor's Name:  NONE	Describe Property Securing Debt:	Lease will be assumed pursuant to 11 U.S.C. § 365(p)(2):  ☐ Yes ☐ No

I declare under penalty of perjury that the above indicates my intention as to any property of my estate securing a debt and/or personal property subject to an unexpired lease.			
Dated:	03/19/2009	/s/ John Joseph Hohol	X Date & Sign
		John Joseph Hohol	A Date & Sign
Dated:	03/19/2009	/s/ Esther Kelly Hohol	X Date & Sign
		Esther Kelly Hohol	

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol and Esther Kelly Hohol, Debtors

Bankruptcy Docket #:

**Attorney for Debtor: Laura Dolores Frye** 

#### DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR - 2016B

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

The compensation paid or promised by the Debtor(s), to the undersigned, is as follows:

For legal services, Debtor(s) agrees to pay and I have agreed to accept

Prior to the filing of this Statement, Debtor(s) has paid and I have received

The Filing Fee has been paid.

\$3,500

Balance Due

2. The source of the compensation paid to me was:

Debtor(s) Other: (specify)

3. The source of compensation to be paid to me on the unpaid balance, if any, remaining is:

Debtor(s) Other: (specify)

The undersigned has received no transfer, assignment or pledge of property from the debtor(s) except the following for the value stated: **None.** 

- 4. The undersigned has not shared or agreed to share with any other entity, other than with members of the undersigned's law firm, any compensation paid or to be paid without the client's consent, except as follows: None.
- 5. The Service rendered or to be rendered include the following:
- (a) Analysis of the financial situation, and rendering advice and assistance to the client in determining whether to file a petition under Title 11, U.S.C.
- (b) Preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
- (c) Representation of the client at the first scheduled meeting of creditors.
- (d) Advice as required.
- **6.** By agreement with the debtor(s), the above-disclosed fee does not include the following service: Fee does **NOT** include missed court dates & amendments to schedules, contested matters, motions, objections to discharge or other matters except the first meeting of creditors.

#### **CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceedings.

Respectfully Submitted,

Dated: 04/01/2009 /s/ Laura Dolores Frye

Attorney Name: Laura Dolores Frye LAW OFFICES OF PETER FRANCIS GERACI 55 E. Monroe Street #3400 Chicago IL 60603 312.332.1800 (PH) 312.332.6354 (FAX)

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS WESTERN DIVISION

In re

John Joseph Hohol, and Esther Kelly Hohol, Debtors

**Attorney for Debtor: Laura Dolores Frye** 

#### **VERIFICATION OF CREDITOR MATRIX**

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated: 03/19/2009 /s/ John Joseph Hohol

John Joseph Hohol

X Date & Sign

Dated: 03/19/2009

/s/ Esther Kelly Hohol

**Esther Kelly Hohol** 

X Date & Sign

<sup>\*</sup> Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property: Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.

John Joseph Hohol and Esther Kelly Hohol, Debtors

### NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S)

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

#### 1. Services Available from Credit Counseling Agencies

In re

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> bankruptcy filing. Briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) must be provided by nonprofit budget & credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

#### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not

#### Chapter 13: Repayment of All or Part of Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family farm or fishing operation.

#### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

I (We), the debtor(s), affirm that I (we) have received and read this notice.

/s/ John Joseph Hohol Sign & Date Dated: 03/19/2009 Here John Joseph Hohol /s/ Esther Kelly Hohol 03/19/2009 Sign & Date Dated: **Esther Kelly Hohol** Here /s/ Laura Dolores Frye 04/01/2009 Dated: Attorney: Laura Dolores Frye Bar No: 6295019

PFG Record # 406341